



September 3, 2003

Assistant Commissioner of Patents

Washington, DC 20231

PROTEST UNDER 37 CFR 1.291(a)

Re: WO 0129750 Auction Redemption System and Method

US File # 09422114

Sirs:

Recently I found the above referenced patent filing in the European Patent Office and believe this patent has NOT issued in the U.S. The US File # is 09422114.

I am voicing an objection as a concerned third party and as a U.S. Citizen. The patent filing describes at great length a point incentive and loyalty system based on numerous ways points can be earned and then used in an auction environment to bid on goods even describing the points as an alternate currency.

I am objecting to this "business method" filing as I don't believe there is anything unique or novel about the described system and method. I make this objection based upon two clear and similar examples:

1. During the mid nineties, several "dotcom" firms attempted to establish an "internet currency." Specifically, Beenz, Flooz, CyberCash and others awarded points for various consumer activities such as viewing ads, participating in a questionnaire or other activities their sponsors/clients were willing to award. Another enterprise, NetZero offered free internet access simply for viewing ads on their site. There's nothing new about awarding incentive points, dollars or other remuneration for active participation at a web site.
2. For many years, people have attended charitable "Monte Carlo/Vegas Night" fund raisers. At those events people have the opportunity to win "funny money" (points) at mock games of chance and then use those points to bid on items in a charity auction for items donated by generous benefactors. The Kiwanis Clubs use this technique frequently and many references are found for this method of fund raising on the internet.

Therefore, other than possibly moving the second example above on to the internet, there is really nothing added to previous "alternate currency" systems in use long before the internet existed. The filers neither invented online auctions (see MercExchange vs. eBay) or points used in auctions as currency.

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I have included a few screen shots found simply by searching for keywords, "monte carlo' auction charity fund". Documentation of offline incentive programs related to auctions is not difficult to find.

Exhibit 1 is a screen shot from anum.org ... See B.1.a

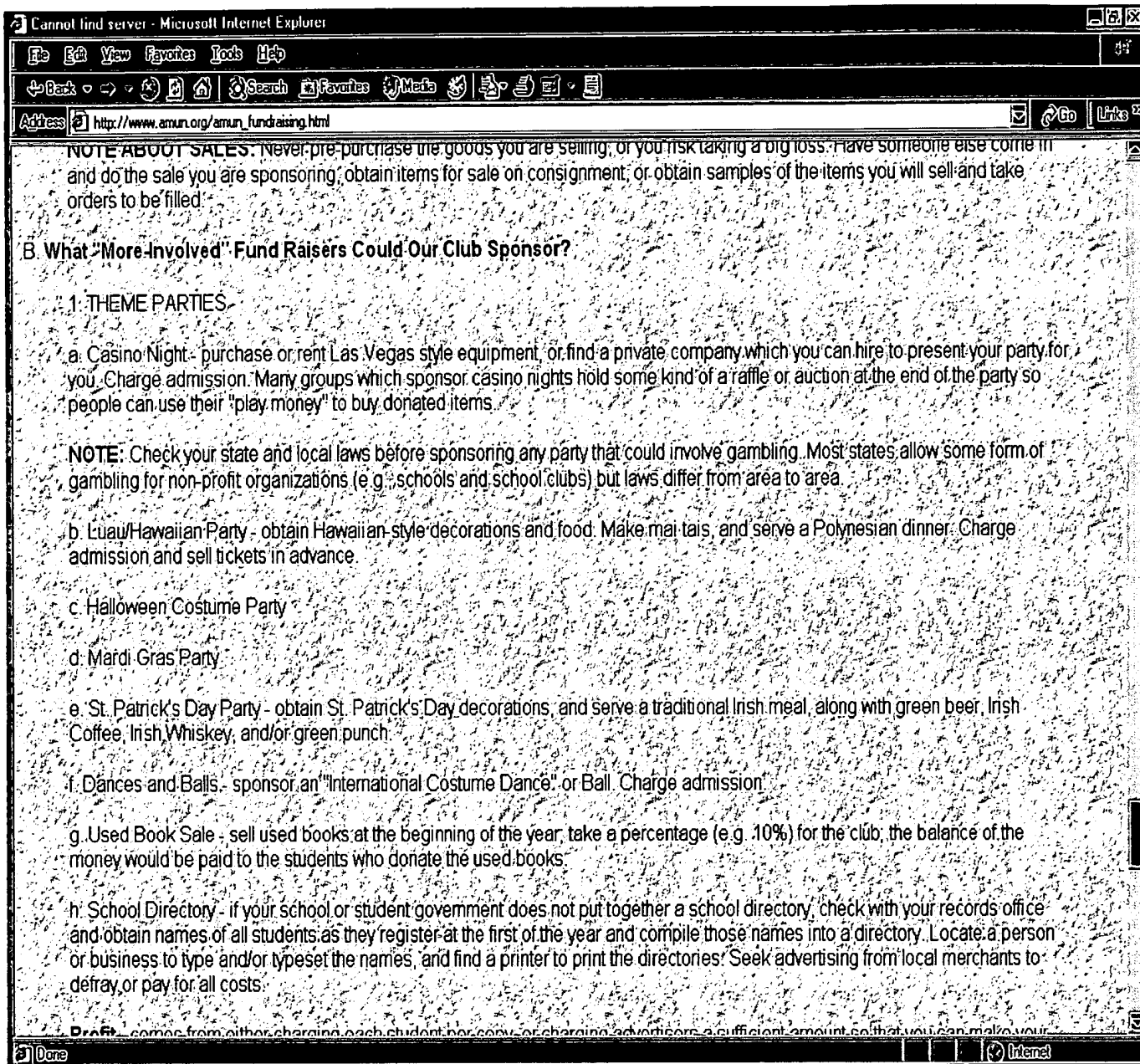
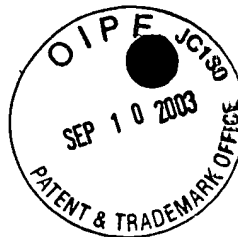
Exhibit 2 is a screen shot from Yorkshire Entertainment and is an example of an event planner offering services to conduct a Casino Night using "fun money."

Exhibit 3 is a screen shot from ecommerceetimes.com providing a history of now defunct dot.coms offering "internet currency" systems and establishing dates of launch.

Since this patent filing has not been published in the U.S. ... I don't know who the inventors' legal representation is ... therefore, I am enclosing two copies of this protest to your office.

I believe the Examiner should look very closely at the Claims made and judge accordingly.

http://www.amun.org/amun_fundraising.html



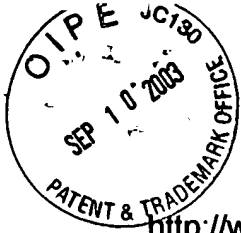
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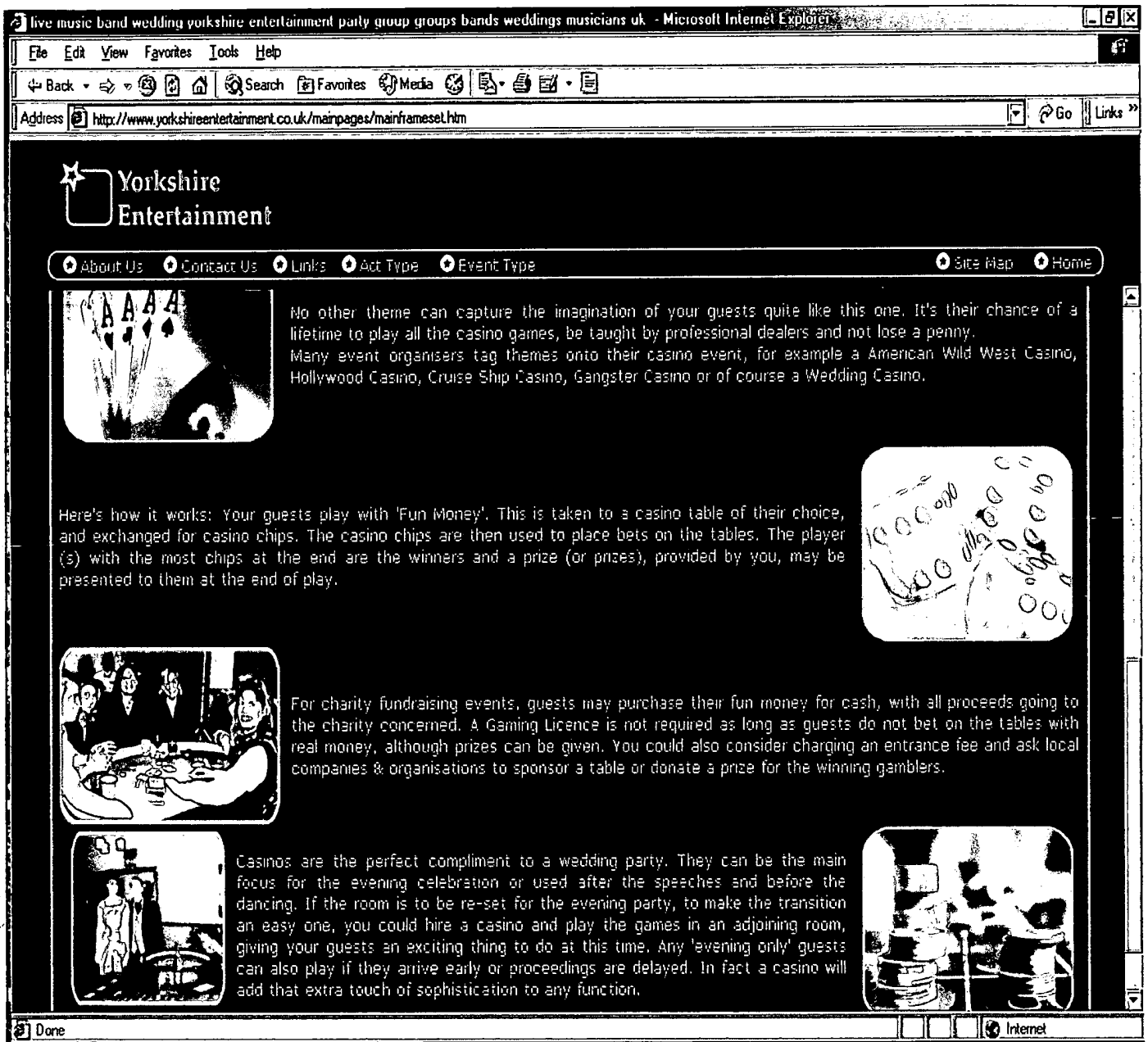
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http://www.yorkshireentertainment.co.uk/mainpages/mainframeset.htm



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<http://www.ecommercetimes.com/perl/story/12892.html>

Commerce News: Beenz.com Closes Internet Currency Business Microsoft Internet Explorer

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Online currency provider [Beenz.com](http://www.beenz.com) announced late Thursday that its currency would be invalid as of August 26th. The company's collapse comes just one week after rival e-currency site Flooz.com suspended its operations.

Unlike Flooz, which closed abruptly, Beenz is giving its customers a 10-day notice. The Beenz.com home page says that any beenz remaining in a member's account after 12:01 am (EST) on August 26th will be invalidated and the member will not be entitled to any compensation of the invalidated beenz.

Published reports said that Beenz.com, originally founded in 1998, will close offices in Europe and Asia, but will keep its New York offices open in order to manage the sale of its assets.

Reports also stated that the company is not out of money, but is curtailing expenditures in order to bring some value to shareholders.

Coin of Realm?

Beenz.com allowed consumers to earn beenz for performing activities such as visiting a Web site, shopping online, or logging on through an Internet service provider. The beenz e-currency could then be spent online with participating Web merchants around the world.

Forrester analyst James Crawford pointed to both Beenz' and Flooz' lack of scope as the main driver of the companies' downfalls.

"In order for any payment system -- online or not -- to work, it has to meet two 'critical mass' criteria," Crawford told the E-Commerce Times. "There has to be a critical mass of places to use it -- usability -- and there has to be a critical mass of ways to obtain it -- availability. I don't think Beenz or Flooz achieved either."

Cards are King

A common argument against alternative Internet currency is that credit cards are a superior payment option for online shoppers, due largely to

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